

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUIS ACEVEDO GARCIA, et als CASE NO. 97-2639 (JP)
PLAINTIFFS

VS.

MUNICIPIO DE ADJUNTAS, et als
DEFENDANTS

NOTICE & MOTION

TO THE HONORABLE COURT:

COMES NOW the Municipality of Adjuntas by the undersigned and respectfully **NOTIFIES AND PRAYS**:

1. The matter of caption was recently discussed at length with the Honorable Mayor of Adjuntas.
2. The Municipality of Adjuntas and the Mayor are in a catch 22 situation, to wit, wants to settle the cases pending, but the Municipality has no funds.
3. Therefore, our instructions were to try the matter of the remaining plaintiffs.

4. The position of the undersigned is the door towards a settlement remains open and to that end we express our thoughts to this Honorable Court.
5. There are some 62 plaintiffs whose cases have to be disposed.
6. It would be of great benefit if the remaining plaintiffs would be identified and some brief discovery be permitted.
7. The discovery would be limited to the damages suffered by each of the remaining plaintiff(s).
8. Settlement, in the opinion of the undersigned, cannot be based on the judgement had in the first group of the cases tried¹.
9. Discovery on a plaintiff by plaintiff basis, limited of course by this Honorable Court, is needed by the undersigned.
10. The undersigned is willing to sit with plaintiffs' counsel, discuss each one of the plaintiffs case(s) with a view towards a realistic settlement.

¹It may be sounding on the shapes of things but to same it is not carved in stone as counsel for the remaining plaintiff assesses the future.

WHEREFORE it is most respectfully requested that Notice Be Taken of the abovementioned and that this Honorable Court issue such order(s) as deemed necessary and prope under circumstances.

In Ponce for San Juan, Puerto Rico this 27 of June 2005.

I hereby **CERTIFY** that on this date, I electronically filed the foregoing Notice & Motion with the Clerk of the Honorable Court using the CM/ECF system which will send notification of such filing to the following: Luis V. Villares-Sarmiento, Esq., of Sanchez, Betances & Sifre, PO Box 195055, San Juan, PR 00919-5055; and to Israel Roldan-González, Esq., 44 Progreso Street, Aguadilla, PR 00603, attorney for plaintiffs.

RESPECTFULLY,

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